

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
Plaintiff,)
)
)
vs.) Case No. 6:21-CR-00146-CBG
)
)
TYAS JOSEPH SHORT,)
Defendant.)
)

**DEFENDANT'S UNOPPOSED MOTION TO SET CHANGE OF PLEA
HEARING IN WESTERN DISTRICT OF OKLAHOMA**

COMES NOW Defendant Tyas Short, by and through his attorney of record, Assistant Federal Defender Jerome Price, and respectfully moves this Court to set a change of plea hearing in the Western District of Oklahoma in Oklahoma City. He requests that this Court set the hearing on February 24, 2022 at 11:00 a.m. in Courtroom 305 of the United States Courthouse located at 200 N.W. 4th Street in Oklahoma City. The government does not oppose this request.

In support of this motion, Mr. Short states:

1. On April 19, 2021, Mr. Short was charged by Criminal Complaint with Murder in Indian County, in violation of 18 U.S.C. §§ 1111(a), 1151, and 1153; and Use, Carry, Brandish, and Discharge of a Firearm During and in Relation to a Crime of Violence, in violation of 18 U.S.C. § 924(c). ECF No. 1.
2. Mr. Short made his initial appearance on April 29, 2021. At that hearing the Court appointed the Office of the Federal Defender and specifically, Assistant Federal Defender Jerome Price to represent Mr. Short. ECF 10.
3. On May 12, 2021, a federal grand jury sitting in the Eastern District of Oklahoma returned an Indictment charging Mr. Short with Second-Degree Murder in Indian Country;

Causing Death Of A Person in the Course of Violating 18 U.S.C. § 924(c); and Use, Carry, Brandish, and Discharge of a Firearm During and in Relation to a Crime of Violence.

4. On February 10, 2022, Mr. Short filed a Notice of Intent to Plead Guilty. ECF No. 46. Mr. Short provided notice that he has reached a plea agreement with the government and intends to change his plea from not guilty to guilty. Pursuant to a written plea agreement, Mr. Short would plead guilty to Count 1 of the Indictment under Fed. R. Crim. P. 11(c)(1)(C) in exchange for government dismissing the remaining counts in the Indictment.

5. Mr. Short is out of custody and resides within the Western District of Oklahoma. This Court presides and has its chambers in the United States Courthouse in Oklahoma City. Lead counsel from both parties will have to fly to Oklahoma for the hearing and are able and willing fly to Oklahoma City. Having the hearing in Oklahoma City provides an opportunity to schedule the change of plea sooner than setting the hearing in Muskogee, Oklahoma, in the Eastern District. Given the availability of the sooner calendar date and considering the parties' respective schedules, the parties prefer to appear in the Western District of Oklahoma for the change of plea hearing.

6. Defense counsel corresponded with the assigned Department of Justice Trial Attorney, Mr. Gottfried, on January 26, 2022 regarding Mr. Short's request. Mr. Gottfried does not oppose Mr. Short's request to appear in the Western District of Oklahoma.

THEREFORE, Mr. Tyas Short respectfully asks this Court to set his change of plea hearing for February 24, 2022, at 11:00 a.m., at the United States Courthouse in Oklahoma City.

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Respectfully submitted,

OFFICE OF THE FEDERAL DEFENDER
Heather E. Williams, Federal Defender

Date: February 11, 2022

/s/ Jerome Price
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Attorneys for Defendant
TYAS SHORT

CERTIFICATE OF SERVICE

I certify that on February 11, 2022, I electronically filed the foregoing with the Clerk of the Court by using CM/ECF system which will send a notice of electronic filing to each counsel of record.

I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants: None.

/s/ Jerome Price

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